



## MEMORANDUM TO VENICE CITY COUNCIL

**THROUGH CHARTER OFFICER:** Edward Lavallee, City Manager

**FROM:** Roger Clark, Planning and Zoning Director

**DEPARTMENT:** Planning and Zoning

**DATE:** February 23, 2024

**E-SIGN:**   
Edward Lavallee (Mar 4, 2024 18:06 EST)

**E-SIGN:**   
Roger Clark

**MEETING DATE:** March 26, 2024

**SUBJECT / TOPIC:** Rezoning of annexed County zoned property.

**BACKGROUND INFORMATION:** At the December 12, 2023 City Council meeting, staff was directed to identify appropriate zoning designations consistent with the Comprehensive plan for all parcels not currently holding a City zoning classification.

**SUPPORTS STRATEGIC PLAN:** Goal Six: Preserve the Venice Quality of Life through Proper Planning

**COUNCIL ACTION REQUESTED:** Presentation with Action Requested

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At the request of Council, Planning staff sent correspondence to the sixteen properties that have maintained their Sarasota County zoning designation despite being annexed into the City. Responses were received from all but six of the property owners. The following three property owners were not contacted:

- Sawgrass – currently under review for rezoning.
- Former Murphy Oaks – anticipated submittal for rezoning.
- Sarasota County property on Lucaya Ave.

Owners of six properties have provided a response in the form of a letter or email from their attorneys indicating concerns. Concerns are centered around the status of current uses on the property, potential tax implications, and other potential increases in applicable City fees and charges. The remaining respondents voiced similar concerns during a phone conversation. Although most were intrigued by the proposal, none indicated complete agreement.

The highlighted portion of the table below identifies the property owners that have responded. Staff has determined the appropriate district for each property indicated in the table below in red. Each property owner has been informed that if they desire a different zoning district, then they will be responsible for accomplishing the desired designation.

Name	Future Land Use	Implementing Zoning Districts	Area (acres)	Rezone Requirement?
Calvary Bible Church	INSTITUTIONAL PROFESSIONAL	OPI, GOV	7.6	Rezone within 1 year of annexation
Skaggs/Auburn RD	MEDIUM DENSITY RESIDENTIAL	RMF3, GOV	5.0	No development order until rezone occurs
Salvation Army Parcel	CONSERVATION	PUD, PID, PCD, CON, REC, GOV	0.3	First available comp plan amendment, zoned according to comp plan
Sandler Ranch	INSTITUTIONAL PROFESSIONAL	OPI, GOV	2.5	Shall be developed in accordance with Sarasota County zoning regulations which shall be administered by the City unless and until such time as the property is rezoned under the City Zoning Code.
Zucknick Property	LOW DENSITY RESIDENTIAL	RSF1, RSF2, RSF3, GOV	10.7	Rezone within 1 year of annexation
Cunningham	MEDIUM DENSITY RESIDENTIAL	RMF3, GOV	0.9	
Blewett	MEDIUM DENSITY RESIDENTIAL	RMF3, GOV	0.4	Upon Development
Gardner	MEDIUM DENSITY RESIDENTIAL	RMF3, GOV	0.2	Upon Development
Blewett	MEDIUM DENSITY RESIDENTIAL	RMF3, GOV	0.5	Upon Development
Sandler	MEDIUM DENSITY RESIDENTIAL	RMF3, GOV	1.5	Upon Development
Janssen	MEDIUM DENSITY RESIDENTIAL	RMF3, GOV	0.6	Upon Development
Sandler	MEDIUM DENSITY RESIDENTIAL	RMF3, GOV	7.0	Upon Development
Hazeltine/ Laurel Rd	MIXED USE CORRIDOR	KT, NTG, ST2, LE, LW, AA, GOV	9.3	Rezone within 1 year of annexation
Hazeltine/ Laurel Rd	MIXED USE CORRIDOR	KT, NTG, ST2, LE, LW, AA, GOV	6.3	Rezone within 1 year of annexation
Nicol	MIXED USE CORRIDOR	KT, NTG, ST2, LE, LW, AA, GOV	5.0	Rezone within 1 year of annexation
Goulet	MIXED USE CORRIDOR	KT, NTG, ST2, LE, LW, AA, GOV	4.9	Rezone within 1 year of annexation

If Council directs staff to pursue the rezoning of these properties, some concerns such as existing uses may be addressed through ordinance language. However, other concerns that are beyond the City's control such as tax implications or other unanticipated impacts may not. Negotiation between the City and the property owner to determine a resolution to these issues will need to occur. This will necessitate meetings with each of the property owners to determine what items need to be addressed and negotiated. It is important to note that none of these properties will be issued a development order until such time as the property has been rezoned to a City designation, so there is no danger of development without City zoning. They all have a Comprehensive Plan future land use designation that can only be implemented by a City zoning district. In addition, the City Attorney has advised that pursuing a rezone of a parcel without the property owner's approval could leave the City vulnerable to a lawsuit by the property owner.

In summary, the feedback received from these property owners was generally unsupportive or hesitant of the City's proposal to initiate a rezone process at this time, despite the offer for a waiver of application fees and staff assistance with the process. No one has confirmed their consent to the process. It is also important to note that eight (8) properties did not have a rezoning timeline included within their annexation agreements and are only required to rezone at the time of development.

Staff has indicated the applicable zoning designations in the table above and requests Council direction on the future steps for these properties.

Yes N/A

- Document(s) Reviewed for ADA compliance (required if for agenda posting)
  - City Attorney Reviewed/Approval
  - Risk Management Review
  - Finance Department Review/Approval
- Funds Availability (account number):









# Memo to City Council\_Owner Responses

Final Audit Report

2024-03-04

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